

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-51 are pending in the present application, and Claims 1, 16, 20, 21, 29, 30, and 31 having been amended by the present amendment.

In the outstanding Office Action, Claim 20-21 were rejected under 35 U.S.C. § 102(b) as anticipated by Arnston et al; Claim 29 was rejected under 35 U.S.C. § 102(b) as anticipated by Shirane et al; Claims 1-19, 22-26, and 30-49 were rejected under 35 U.S.C. § 103(a) as unpatentable over Arnston et al in view of Marshall et al; and Claims 27-28 and 50-51 were rejected under 35 U.S.C. § 103(a) as unpatentable over Arnston et al and Marshall et al in view of Shirane et al.

Firstly, Applicants acknowledge with appreciation the courtesy of Examiner Tran to conduct an interview for this case on August 14, 2003. During the interview, differences between the applied prior art and the present invention were discussed. Specifically, it was pointed out that the specification discloses that, with accessibility to both common data and inherent data, it is possible to easily analyze and reproduce an abnormal event which occurred and to analyze the abnormal event from various viewpoints and to compare it to other abnormal events.¹ Changes to the independent claims were discussed during the interview to clarify the diagnostic system of the present invention. As noted on the Interview Summary Sheet, Examiner Tran recommended that the independent claims be amended to clarify the relationships of the inherent data to the common data, and recommended that the features of Claim 28 be added to the independent claims. No agreement on patentability was reached.

The present amendment follows those changes recommended during the interview for clarifying the relationships of the inherent data to the common data. As such, presently amended Claims 1, 16, 20, 21, 29, and 30 clarify that the abnormality diagnostic data is stored on a vehicle, that common data which is common against all abnormal events irrespective of a detected abnormal event is stored as abnormality diagnostic data for a plurality of abnormal events, and that inherent data which is associated with each of the abnormal events detected is stored as abnormality diagnostic data.

Applicants submit that storage of the recited abnormality diagnostic data on a vehicle is a feature not disclosed or suggested in the applied prior art. The applied prior art references of Arnston et al, Marshall et al, and Shirane et al relate to in-shop abnormality diagnostic equipment, and as such provide no teaching or suggestion of apparatuses and methods which store abnormality diagnostic data on a vehicle. Thus, the required establishment of *prima facie* obviousness under M.P.E.P. § 2143.03 that all claim features must be taught or suggested by the prior art has not been made.

Thus, it is respectfully submitted that presently amended independent Claims 1, 16, 20, 21, 29, and 30, and the claims depending therefrom, patentably define over the prior art.

¹ Specification, page 3, paragraph number [009].

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Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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